

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NUTRAMAX LABORATORIES, INC. and
NUTRAMAX LABORATORIES VETERINARY
SCIENCES, INC.,

Counterclaim Plaintiffs,

v.

ZESTY PAWS LLC,

Counterclaim Defendant.

Civil Action No. 1:23-cv-10849

JURY TRIAL DEMANDED

By **January 9, 2024**, Plaintiff Zesty Paws shall submit an opposition to Nutramax's request for injunctive relief. By **January 16, 2024**, Defendant Nutramax shall submit a reply. The parties shall comply with the Court's Individual Rules in filing their papers. So Ordered.

Dated: December 26, 2023
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

NOTICE OF NUTRAMAX'S MOTION FOR PRELIMINARY INJUNCTION

Counterclaim Plaintiffs Nutramax Laboratories, Inc. and Nutramax Laboratories Veterinary Sciences, Inc. (collectively, "Nutramax") move this Court pursuant to Federal Rule of Civil Procedure 65(a) for an injunction ordering Counterclaim Defendant Zesty Paws LLC ("Zesty Paws"), pending the final hearing and determination of this action, to cease all false and/or misleading advertising, marketing, promotion, or statements concerning Zesty Paws' #1 Claims (as defined in Nutramax's Counterclaims (Dkt. 7)) and engage in a program of corrective advertising. The grounds of this motion are set forth in the following documents filed herewith: (1) Nutramax's Memorandum of Law in Support of Their Motion for a Preliminary Injunction; (2) David Moore Declaration; (4) Craig Jones Declaration; (5) Nathan Novemsky Declaration; and (6) Uly Gunn Declaration, along with the exhibits attached thereto.

Respectfully submitted, this 22nd of December, 2023.

/s/ Natalie Clayton

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Nutramax Laboratories Veterinary Sciences,
Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on December 22, 2023, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which will automatically send e-mail notification of such filing to all attorneys of record.

/s/ Natalie Clayton

Natalie Clayton